

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PEDRO RODRIGUEZ,

Plaintiff,

v.

GAVIN NEWSOM, *et al.*,

Defendant.

Case No. 1:20-cv-01044-DAD-JDP

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS AND
ORDER DIRECTING PAYMENT OF INMATE
FILING FEE BY CALIFORNIA DEPARTMENT
OF CORRECTIONS AND REHABILITATION

ECF No. 2

Plaintiff is a prisoner proceeding without counsel pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff is still obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The California Department of Corrections is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

In accordance with the above and good cause appearing therefore, it is hereby ordered that:

1 1. Plaintiff's application to proceed *in forma pauperis* is granted;

2 2. The Director of the California Department of Corrections or his designee shall collect
3 payments from plaintiff's prison trust account in an amount equal to twenty per cent (20%) of the
4 preceding month's income credited to the prisoner's trust account and shall forward those
5 payments to the Clerk of the Court each time the amount in the account exceeds \$10.00, in
6 accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and
7 forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and
8 number assigned to this action.

9 3. The Clerk of the Court is directed to serve a copy of this order and a copy of plaintiff's
10 in forma pauperis application on the Director of the California Department of Corrections, via the
11 court's electronic case filing system (CM/ECF).

12 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
13 Department, U.S. District Court, Eastern District of California, Sacramento Division.

14 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a
15 certified copy of his prison trust account statement for the six-month period immediately
16 preceding the filing of the complaint, if plaintiff has not already done so.

17 IT IS SO ORDERED.
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19 Dated: September 2, 2020
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UNITED STATES MAGISTRATE JUDGE

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22 No. 205.
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